



1/23 4133

Patent

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Guo Q. Shi, et al

Serial No. : 10/522,259

Case No.: 21096P

Art Unit:

4133

Filed : January 25, 2005

Examiner:

For : PPAR ALPHA SELECTIVE COMPOUNDS FOR THE  
TREATMENT OF DYSLIPIDEMIA AND OTHER LIPID  
DISORDERS

Joseph S. Kudla

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**RESPONSE TO REQUIREMENT FOR ELECTION OF SPECIES**

Sir:

In Response to the Requirement for Elections of Species that was mailed  
October 30, 2007, Applicants make the following elections:

- In response to the requirement for the election of a species from the compounds in the Examples, the compound of Example 18 is elected. All of the pending claims (Claims 1-16, 18, and 30) read on this compound.
- In response to the requirement for the election of a species from the therapeutic classes of compounds listed in Claim 30, Applicants elect (g) dipeptidyl peptidase IV (DP-IV) inhibitors. Claim 30 reads on this elected combination.
- In response to the requirement for the election of a species from the disorders listed in Claim 18, Applicants elect hypercholesterolemia. Claim 18 reads on this and other disorders.

The Requirement for an election of species is not traversed, as the non-elected species will be rejoined once the elected species are held to be allowable.

Paragraph 5 of the office action is not applicable in view of the fact that the proposed new rules did not take effect November 1, 2007.

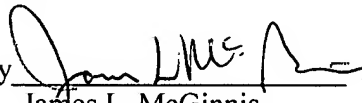
INFORMATION DISCLOSURE STATEMENT

Applicants request that the Information Disclosure Statement that accompanies this response be considered during examination of the claims. A fee is not due with the Information Disclosure Statement because a Requirement for an Election of Species is not a First Action on the merits.

If a fee is required for any reason for the Information Disclosure Statement to be considered, the USPTO is authorized to charge the fee to Merck Deposit Account No. 13-2755.

If the Examiner needs to discuss any matter with respect to this response, the Examiner is invited to telephone the undersigned attorney.

Respectfully submitted,

By   
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Date: November 30, 2007